

REMARKS

Claims 1-21 are pending in the application. Applicant amends claims 1-2, 11-12, and 21 for further clarification, and refers to page 31, lines 25-36 in the specification for an exemplary embodiment of and support for the claimed invention. No new matter has been added.

Claims 1, 11, 13-14, and 21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,530,032 to Shew et al. Applicant amends claims 1, 11, and 21 in a good faith effort to further clarify the invention as distinguished from the cited reference, and respectfully traverses the rejection.

Again, Shew et al. describe a path failure causing an interrupt that informs a multiprotocol label switching (MPLS) software process of the failure, and, then, the router being able to adjust the affected next hop fields in the L3 forwarding table for the destination IP prefixes, which use the L1 cut-through path. Col. 8, lines 17-26 of Shew et al. cited by the Examiner.

And Shew et al., as cited and relied upon by the Examiner, do not disclose the claimed features of setting up a control LSP, and the label switching router signaling failure to the another label switching router by transmitting a message on the control LSP.

In other words, Shew et al., as cited and relied upon by the Examiner, fail to disclose,

“[a] label switching router that carries out multiprotocol label switching (MPLS) on an internet protocol (IP) network, comprising said label switching router signaling failure to another label switching router having an IP address indicating two or more stages upstream in a label switched path (LSP), when a signal from a reception link in the LSP is no longer detected, wherein a control LSP is set up, and the label switching router signals the failure to the another label switching router by transmitting a message on the control LSP,” as recited in claim 1. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 1 is patentable over Shew et al. for at least the foregoing reasons. Claims 11 and 21 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over Shew et al. for at least the same reasons.

Claims 2-10, 12, and 15-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0060985 to Lee et al. Applicant amends claims 2 and 12 in a good faith effort to further clarify the invention as distinguished from the cited reference, and respectfully traverses the rejection.

Again, Lee et al. describe a label switching router (LSR) 6 sensing a failure occurring in a link between the LSR 6 and a LSR 8, and loops back a traffic stream in a reverse direction. Fig. 4 and paragraph [0033] of Lee et al. Indeed, Lee et al., as cited and relied upon by the Examiner, only describe a LSR simply looping back a traffic stream when sensing a failure, and, thus, fail to disclose the claimed features of selecting a PML two or more stages downstream. Paragraph [0034] of Lee et al.

And Lee et al., as cited and relied upon by the Examiner, do not disclose the claimed feature of “the PSL selecting another label switching router having an IP address indicating two or more stages downstream when the PSL receives a failure message via a control label switched path (LSP).” (Emphasis added)

In other words, Lee et al., as cited and relied upon by the Examiner, fail to disclose

“[a] label switching router that carries out multiprotocol label switching (MPLS) on an internet protocol (IP) network, comprising a path switching label switching router (PSL) that switches from a working path to a recovery path, the PSL selecting another label switching router having an IP address indicating two or more stages downstream when the PSL receives a failure message via a control label switched path (LSP), the other label switching router serving as a path merging label switching router (PML) that receives signals from both the working path and the recovery path.” as recited in claim 2. (Emphasis added)

Accordingly, Applicant respectfully submits that claim 2, together with claims 3-10 dependent therefrom, is patentable over Lee et al. for at least the foregoing reasons. Claim 12 incorporates features that correspond to those of claim 2 cited above, and is, therefore, together with claims 13-20 dependent therefrom, patentable over Lee et al. for at least the same reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Dexter T. Chang/

Dexter T. Chang

Reg. No. 44,071

CUSTOMER NUMBER 026304

Telephone: (212) 940-6384

Fax: (212) 940-8986 or 8987

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